

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**MEMORANDUM OF LAW  
AND ORDER**  
Criminal No. 14-cr-157(MJD)

RONALD RICHARD SHANKEY,

Defendant.

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Laura M. Provinzino, Assistant United States Attorney, Attorney for Plaintiff.  
Manny K. Atwal, First Assistant Defender, for Defendant.

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**I. INTRODUCTION**

Before the Court is the Parties' Joint Request to Amend Defendant's Judgment in Criminal Case No. 14-157. (Docs. 45, 47.)

**II. FACTS**

On April 10, 2014, Defendant admitted to violating his federal supervised release by possessing child pornography. This was later charged in federal court. That same day, he was sentenced to nine months' imprisonment. (Docs. 23, 24 in Crim. No. 14-58.) (Doc. 45 (Def. letter in support of amend. judgment).)

While Defendant was in custody in Sherburn County Jail, the Parties resolved the new child pornography case. The Parties intended for Defendant to serve a total of 168 months to run concurrent with his sentence for his supervised release violation. (Id.) However, by the time Defendant was sentenced, he had completed his sentence on the supervised release violation. The BOP has not given him credit for the nine months he already served on that sentence toward the 168-month sentence. (Id.)

At sentencing, Defense counsel asked that the sentence on his new violation run concurrently with his “already-imposed supervised release violation sentence.” (Doc. 18 at 11.) The Court agreed to have the sentences run concurrently. (Doc. 24 (Judgment (stating sentence should run concurrent to his supervised release revocation sentence in case 14-cr-58).))

The Parties now request that the judgment in Criminal Case No. 14-157 be amended to a total sentence of 159 months to reflect the intent of the Parties and the Court for Defendant to have received credit for the nine months he served in custody prior to sentencing.

**III. ORDER**

Based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

Defendant's Sentence in **Criminal Case No. 14-157** is **amended** to a total in-custody sentence of **159 months**. The judgment remains unchanged in all other respects.

Date: November 14, 2022

s/Michael J. Davis

Michael J. Davis

United States District Court